

THE

# CASE and ALLEGATIONS

OF THE

TRUSTEES of the *Totnes Road-Act*, and the  
Creditors on the TOLLS,

AGAINST

The BILL for a Turnpike-Road, from *Travellers-Rest*, in the Parish of *Asburton*, to the Town of *Newton-Busbell*; and from thence to *Diptford-Bridge*, in the Parish of *Bovey-Tracey*, in the County of *Devon*.

IN 1759, in the 32d Year of his late Majesty, the Inhabitants of *Newton-Busbell* and *Newton-Abbott*, and the Parts adjacent, joined with the Mayor, Aldermen, and principal Burgesses and Inhabitants of the Town and Borough of *Totnes* in the County of *Devon*, and the principal Gentlemen, Clergy and Freeholders in the several Parts round *Totnes*; and obtained an Act for Amending, Widening, and keeping in Repair, the Road leading from the Head of the *Hollow-Way*, on the western Side of *Lord Clifford's Park-Gate*, where the *Exeter* Turnpike-Road ends, through the Towns and Boroughs of *Newton-Busbell*, *Newton-Abbott*, and *Totnes*, to a Place called *Biddasford*, in the County of *Devon*; and for raising a Sum not exceeding 3000*l*. for that Purpose. And under Sanction thereof, the Sum of 2800*l*. has been raised and borrowed, and laid out on the Road; and the Road is about twenty-three Miles in length; and only about thirteen Miles thereof has been repaired.

On the Road above-mentioned have been erected three Toll-Gates, one at *Teign-Bridge*, between *Newton-Abbott*, and the Head of the *Hollow-Way*, through which all Travellers coming from *Exeter* and *Bovey-Tracey*, and *Diptford-Bridge* and *Drumbridge*, and elsewhere, from the East and North of that Part of the County, now pass, before they arrive at *Newton-Busbell* or *Newton-Abbott*; another of the Toll-Gates is erected between the Towns of *Newton-Abbott* and *Totnes*; and the third is erected between *Totnes* and the Place called *Biddasford*, and which there adjoins on the *Plymouth-Turnpike*; and the Tolls which have been collected, one Week with another, at the respective Gates are as follow,

At the Gate at *Teign-Bridge*, (one Week with another) 3 - 4 - 6  
At the Gate between *Newton-Abbott* and *Totnes* (one Week with another) 1 - 6 - 6  
At the Gate between *Totnes* and *Biddasford* (one Week with another) 0 - 19 - 0

By which it is apparent, that the Gate at *Teign-Bridge* brings in 167*l*. 14*s*. per Annum; and that both the other Gates together bring in no more than 118*l*. 6*s*. per Annum: So that the said Gate at *Teign-Bridge* brings in 49*l*. 8*s*. per Annum, more than both the other Gates put together.

By the Monies borrowed under Faith and Confidence of the *Totnes Act*, the greatest and worst Part of the Road from the Head of the *Hollow-Way* to *Newton-Busbell* and *Newton-Abbott*, and to *Totnes* and *Biddasford*, has been widened, repaired and amended, and the Inhabitants of *Newton-Busbell* being thoroughly sensible of the Profits arising from the Toll-Gate at *Teign-Bridge*, and having obtained their Ends in having the Road widened, amended and repaired, as aforesaid, and being also sensible of having amongst them, a great Number who are Trustees of the *Totnes Turnpike*, and who on all Occasions will be ready and able to cause that Road to be amended equally with any other Part of the Turnpike [even though they should deprive the Trustees and Creditors thereof of the Tolls of the Gate at *Teign-Bridge*] they are now desirous of grafting on, another Road.

To put the above Scheme in Execution, they have artfully drawn in the Inhabitants of the Borough of *Asburton*, to apply with them for a Turnpike Road from a Place called *Traveller's Rest*, to the Town of *Newton-Busbel*, and from the Town of *Newton-Busbel* to *Diptford-Bridge*, through *Higbweek Church-Town*, and certain Places called *Stowford Bridge* and *Drum-Bridge*, and so to *Diptford-Bridge* aforesaid; and which Attempt is purposely contrived to avoid the Toll-Gate at *Teing-Bridge*, and to deprive the Trustees and Creditors of the *Totnes* Turnpike of the Benefit thereof, and in Effect that the same should go towards the Road they are now applying for, by drawing Travellers on that Road to *Newton-Busbel*, and thereby avoiding the Gate at *Teing-Bridge*: And (without such a Design) the old-accustomed Road of all Travellers coming from *Diptford-Bridge*, and from the North of that Part of the Country by Way of *Teing-Bridge* to *Newton-Busbel*, [and what has always been hitherto, and is now used] is a much better and more commodious and leveller Road, and not through so hilly a Part of the Country, and more to the Satisfaction of the Travellers passing thereon; viz. from *Diptford-Bridge* to *Ventaford-Bridge* and *Teingrafe*, and from thence to *Teing-Bridge*; and thereby the said Toll-Gate at *Teing-Bridge* would not be deprived of the Tolls now taken thereat, but there would also be more than one half of a Mile less of Road to make, as the Road from *Teing-Bridge* to *Newton-Busbel* is already made; and the Difference of the Distance of the said Road now applied for, and the last-mentioned Road to *Newton-Busbel*, would (in respect to Travellers) be but three Furlongs 29 Poles and four Links, as appears by an accurate Admeasurement hereunder. And such last-mentioned Road from *Diptford-Bridge* to *Ventaford-Bridge* and *Teingrafe*, and from thence to *Teing-Bridge*, and from thence to *Newton-Busbel*, would in no wise interfere with the Tolls granted by the *Totnes* Act, and would come to 320 l. less in making.

It is also particularly remarkable that the Inhabitants of *Asburton* can have no Interest in whether the Road (after going from *Traveller's Rest* to *Newton-Busbel*) should go from *Newton-Busbel* to *Diptford-Bridge*, by the Ways they are now applying for, and thereby avoid the Toll-Gate at *Teing-Bridge*; or whether such Road should go as above mentioned, viz. from *Diptford-Bridge* to *Ventaford-Bridge* and *Teingrafe* to *Teing-Bridge*, and from thence to *Newton-Busbel*, so as not to avoid the Toll-Gate at *Teing-Bridge*, except it is an Interest, View and Design, to effectually destroy the *Totnes* Road, from the Head of the *Hollow Way*, through *Newton* and *Totnes* to *Biddeford*, and which joins the *Plymouth* Road there, and by that Means drawing all Travellers from *Exeter*, and the Northern and Eastern Parts of the Kingdom, and from *Newton-Busbel* to *Plymouth*, entirely on the *Asburton* Road, who now travel indifferently to *Plymouth* on the *Totnes* Road, as well as on the *Asburton* Road.

In case therefore the Road from *Newton* to *Diptford-Bridge* should be carried according to the present Scheme, the Tolls now collected at *Teing-Bridge* will be greatly reduced; and by such Reduction of Toll, the Trustees of the *Totnes* Turnpike will not only be rendered incapable of making, keeping and maintaining their Road, and paying the Interest on the Monies borrowed on their Tolls, but their Road must go entirely to Ruin. And the Creditors who have advanced the Sum of 2800 l. in Confidence of the said Act, and which they considered as a Parliamentary Security, if the Tolls collected at the Gate at *Teing-Bridge* should be decreased or diminished, without a full Satisfaction made to them of the respective principal Sums they have advanced, and all Interest thereon, will be deprived of near one third of their Security, as evidently appears by the List of the Tolls collected at the several Gates as above mentioned: And in case they should be reduced, for the Preservation of their Properties, to the Necessity of seizing on their Tolls, they must still be great Sufferers, as no part of the Road can be kept in Repair but by the joint Aid of the whole present Toll, and there is about ten Miles of Road still to make; and in a small Process of Time when the Road already made shall be neglected to be kept in Repair, by the Deficiency of the Tolls through the above Means, the same will become so very ruinous, that Travellers will avoid travelling thereon; and in Consequence thereof the Tolls will be so inevitably reduced, as not even to support the keeping up of the Gates, but the same must cease.

The Admeasurement of the old-accustomed Road now travelled, and which will not interfere with the *Totnes* Turnpike, viz. from *Diptford-Bridge* to *Ventaford-Bridge* thro' *Teingrafe*, to the Gate at *Teing-Bridge*, and from thence to *Newton*, is

Mile Fur. Pole. Links.

4 7 10

The



The Admeasurement of the Road applied for, from *Newton-Busbel* to *Higbweek*, over *Drum-Bridge* to *Diptford-Bridge*, is

Miles, Fur. Poles, Links.			
4	3	11	21
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	3	29	4
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Difference to Travellers is but — — —

And above one half of a Mile of Road will be saved making, being already made.

ON THE ABOVE CASE the following general Observations are submitted,

That however beneficial Turnpikes in general may be, yet if two Roads any wise clash and interfere with one another, neither can be good; the Tolls divided between both, being insufficient for either.

That the proposed *Asbburton-Road* will be the Destruction of the *Totnes* Turnpike.

That the *Asbburton* People have no Interest in the Road from *Newton-Busbel* to *Diptford-Bridge*.

That the Toll now taken at the Gate at *Teing-Bridge* amounts *per Ann.* to

l.	s.	d.
167	14	0

That the Toll now taken at all the other Gates on the *Totnes* Turnpike amounts *per Ann.* to no more than [out of which all Expences of collecting the Tolls are to be paid.]

118	6	0
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That the Toll taken at *Teing-Bridge*, in Case the *Asbburton-Road* to *Diptford-Bridge* should go on, through *Higbweek*, will be reduced at least 45*l.* 5*s.* 10*d.* *per Annum*.

That the Interest on the Money already borrowed, at 4 *per Cent.* amounts *per Annum*, to

112	0	0
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That the Expence to the Toll-Gatherers Clerk and Treasurer is *per Ann.*

62	12	0
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That in Case the Toll now taken at *Teing-Bridge* should be reduced one Third, (which can't admit of a Doubt) the Creditors of the *Totnes* Turnpike must even then lose the whole of their Securities; as no Part of the Road can be kept in Repair, but by the joint Aid of the whole present Toll, which is not now more than sufficient to maintain the Road, and pay the Interest of the Money borrowed, and intended to be borrowed thereon for completing the Road.

That the old-accustomed Road, and the Road now travelled, from *Diptford-Bridge* over *Teing-Bridge* to *Newton-Busbel* is the more commodious and more level Road, and more to the Satisfaction of Travellers passing thereon, and will not interfere with the *Totnes* Turnpike. And there will be above one half of a Mile less of Road to make and keep repaired; and the Difference (to Travellers) will be but 3 Furlongs 29 Poles and 4 Links.

That the Expence of making the Road in the Bill thro' *Higbweek* to *Diptford-Bridge* will come at least to

770	0	0
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That the Expence of making the Road from *Teing-Bridge* to *Diptford-Bridge* will come to only

450	0	0
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Difference in the Expence will be at least

320	0	0
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ON THE  
AND THE  
TRUSTEES of the Yonkers Road-Act  
CREDITORS on the 10th.

The BILL for a Turnpike-Road, from Traveller's-*Key*, in the Parish of *St. Mary's*, to the Town of *Kings-Buryal*, and from thence to *Disford-Buryal*, in the Parish of *Bury-Fraser*, in the County of *Drom*.

THE  
AND THE  
TOWNS on the TOLLS;  
TUNNIPLES Road, from Traveller's  
Parish of *St. Martin*, to the Town of  
*St. Martin*, and from thence to *St. Martin*  
the Parish of *St. Martin*, in the  
Difference in the Expense will be at least 320 - 0 - 0

That in Case the Toll now taken at Ping-Bridge should be reduced one Third, (which can't admit of a Doubt) the residents of the Towns Tripartite must even then lose the whole of their security as no Toll-Road can be kept in Repair, but by the joint Aid of the whole present Toll, which is now more than sufficient to maintain the Road, and pay the interest of the money borrowed, and intended to be borrowed thereon for completing the Road.

There the Expense to the Toll-Gatherers Clerk and Treasurer is per Ann.

For interest on the Money already borrowed at 4 per Cent. amounts

115	-	0	-	0
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112 - 0 - 0 } That the Toll now taken at all the other Gates on the Petate Turnpike amounts for now to no more than (out of which all Expenses of collecting the Tolls are to be paid).

That the Tonnage now taken at the City of New York amounts per year to 107 - 14 - 0

ON THE ABOVE CASE the following general Observations are submitted,

And above one half of a Million Road will be level making being already made.

The Adjustments of the Road applied for, from Western Bridge to High-  
way, over Burnt Bridge to District Bridge, is